

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CONVERGENT WEALTH ADVISORS LLC, : 12 Civ. 01199 (SAS)  
Plaintiff, : FINAL JUDGMENT  
:   
-against- :  
LYDIAN HOLDING COMPANY, LYDIAN :  
TRUST CO., LYDIAN WEALTH :  
MANAGEMENT COMPANY LLC, CMS :  
STRATEGIES COMPANY, LLC, :  
WINDERMERE INVESTMENT :  
ASSOCIATES, LLC, and WINDERMERE :  
CAPITAL MANAGEMENT LLC :  
:   
Defendants.

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FINAL JUDGMENT AS TO DEFENDANTS LYDIAN HOLDING COMPANY, LYDIAN  
TRUST CO., LYDIAN WEALTH MANAGEMENT COMPANY LLC, CMS  
STRATEGIES COMPANY, LLC, WINDERMERE INVESTMENT ASSOCIATES, LLC,  
AND WINDERMERE CAPITAL MANAGEMENT LLC

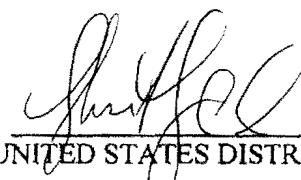
Plaintiff Convergent Wealth Advisors LLC (hereinafter referred to as "Convergent") having filed a Complaint and Defendants Lydian Holding Company, Lydian Trust Co., Lydian Wealth Management Company LLC, CMS Strategies Company, LLC, Windermere Investment Associates, LLC, and Windermere Capital Management LLC (hereinafter collectively referred to as "LHC") having entered a general appearance; consented to the Court's jurisdiction over LHC and the subject matter of this action; consented to entry of this Final Judgment without admitting or denying the allegations of the Complaint (except as to jurisdiction); waived findings of fact and conclusions of law; and waived any right to appeal from this Final Judgment:

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that LHC is liable to Convergent and that Convergent have and recover judgment from LHC, in the sum of \$7,555,841.50, together with interest on the judgment as provided by law.

There being no just reason for delay, pursuant to Rule 54 of the Federal Rules of Civil Procedure, the Clerk is ordered to enter this Final Judgment forthwith and without further notice.

Dated:

Feb. 11, 2013

  
\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CONVERGENT WEALTH ADVISORS LLC, : 12 Civ. 01199 (SAS)  
Plaintiff, : STIPULATION FOR ENTRY OF  
  JUDGMENT  
  :  
-against- :  
LYDIAN HOLDING COMPANY, LYDIAN :  
TRUST CO., LYDIAN WEALTH :  
MANAGEMENT COMPANY LLC, CMS :  
STRATEGIES COMPANY, LLC, :  
WINDERMERE INVESTMENT :  
ASSOCIATES, LLC, and WINDERMERE :  
CAPITAL MANAGEMENT LLC :  
  :  
Defendants.

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Plaintiff Convergent Wealth Advisors LLC (hereinafter referred to as "Convergent"), and Defendants Lydian Holding Company, Lydian Trust Co., Lydian Wealth Management Company LLC, CMS Strategies Company, LLC, Windermere Investment Associates, LLC, and Windermere Capital Management LLC (hereinafter collectively referred to as "LHC"), by and through their respective counsel stipulate to the entry of the Final Judgment ("Judgment") attached as Exhibit A, and stipulate further as follows:

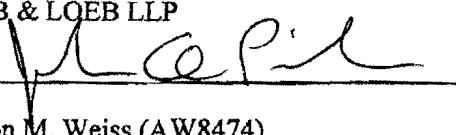
- A. This Court has jurisdiction over the subject matter of the Complaint filed in this action and of the parties. Venue as to all matters between the parties related to this action lies in this Court;
- B. LHC agrees to accept service of the Notice of Entry of Judgment and the Judgment by U.S. Mail on its counsel;
- C. LHC agrees to accept any further service related to the Judgment by U.S. Mail on its counsel;

D. LHC waives the right to appeal, to attempt to set aside or vacate, or otherwise to attack, directly or collaterally, the Judgment; and

E. Convergent hereby covenants and agrees not to enforce the Judgment against LHC in any manner, and to look solely to LHC's insurer(s) with respect to recovery on the Judgment.

Dated: February 8, 2013  
New York, New York

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